CR No.190 of 2007.

07.11.2007 Present: Mr.V.K. Verma, Additional Advocate General, for the petitioner.

Heard.

The grievance of the petitioner (who are the defendants before the learned trial Court) is that in an application under Order 1 Rule 10 of the Code of Civil Procedure filed by the State before the learned trial Court has been allowed partly. The prayer that defendants No.2 to 6, who are State Government officers who had been impleaded by their personal names, was allowed, but the addition of the other parties, who according to the defendants were necessary parties for adjudication of the dispute, was not allowed.

This point, as to whether other defendants-respondents sought to be added were necessary parties or not, will be determined by the Court during the course of the trial and it shall be open to the defendant-State to take such defence in the written statement filed by them. Rejection of the application against which this revision has been filed shall not be a bar in the way of determination of this issue.

This revision petition is accordingly disposed of.

November 7, 2007 **(Dev Darshan Sud)**
(aks) **Judge**